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## NOTICE OF ALLOWANCE AND FEE(S) DUE

59769 7590 10/01/2008

UTSTARCOM, INC.  
3800 GOLF ROAD  
SUITE 220  
ROLLING MEADOWS, IL 60008

EXAMINER

LIN, KENNY S

ART UNIT

PAPER NUMBER

2152

DATE MAILED: 10/01/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/664,673

09/18/2003

Michael Borella

5003

4100

TITLE OF INVENTION: METHOD AND APPARATUS TO FACILITATE CONDUCTING AN INTERNET PROTOCOL SESSION USING PREVIOUS SESSION PARAMETER(S)

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	01/02/2009

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**  
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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ROLLING MEADOWS, IL 60008

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/664,673 09/18/2003 Michael Borella 5003 4100

TITLE OF INVENTION: METHOD AND APPARATUS TO FACILITATE CONDUCTING AN INTERNET PROTOCOL SESSION USING PREVIOUS SESSION PARAMETER(S)

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional NO \$1440 \$300 \$0 \$1740 01/02/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
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LIN, KENNY S 2152 709-228000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_  
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_  
3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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UTSTARCOM, INC.  
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SUITE 220  
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## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 952 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 952 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/664,673	BORELLA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	KENNY S. LIN	2152	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/15/2008.
2. ☒ The allowed claim(s) is/are 1, 4-9, 12, 14-16, 18-29 now renumbered as 1-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|  | 9. <input type="checkbox"/> Other ____.   |

/Kenny S Lin/  
Primary Examiner, Art Unit 2152

### **DETAILED ACTION**

1. Claims 1, 4-9, 12, 14-16, 18-29 are presented for examination. Claims 2-3, 10-11, 13, 17 and 30-41 are canceled.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Toczycki, Reg. No. 38,341, on September 17, 2008.

3. The application has been amended as follows:

1. (Currently amended) A method to facilitate conducting Internet Protocol sessions between a wireless access gateway and a wireless node, the method comprising:  
conducting, at the wireless access gateway, a first Internet Protocol session with the wireless node, the wireless node using at least one temporary Internet Protocol session parameter, wherein the at least one temporary Internet Protocol session parameter corresponding with the wireless node is stored in a wireless access gateway memory;

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detecting, at the wireless access gateway, the ~~conclusion~~ termination of the first Internet Protocol session;

responsive to detecting the termination ~~conclusion~~ of the first Internet Protocol session, maintaining in the wireless access gateway for a pre-defined period of time the at least one temporary Internet Protocol session parameter, wherein the pre-defined period of time begins upon the termination ~~conclusion~~ of the first Internet protocol session, and wherein the at least one temporary Internet Protocol session parameter is maintained without returning ~~[[it]]~~ the at least one temporary Internet Protocol session parameter to a pool of available temporary Internet Protocol session parameters;

detecting, at the wireless ~~[[the ]]~~access gateway, the wireless node initiating a second Internet Protocol session within the pre-defined period of time;

retrieving from the wireless access gateway memory the at least one temporary Internet Protocol session parameter as corresponds to the wireless node and as was recently previously assigned to the wireless node;

the wireless access gateway using that assigning the at least one temporary Internet Protocol session parameter to the wireless node to facilitate initiation of the second Internet Protocol session with the wireless node.

2-3. (Cancelled)

4. (Previously Presented) The method of claim 1 wherein retrieving from the wireless access gateway memory the at least one temporary Internet Protocol session parameter as

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corresponds to the wireless node comprises retrieving from the wireless access gateway memory at least one point-to-point protocol session parameter.

5. (Previous Presented) The method of claim 1 wherein retrieving from the wireless access gateway memory the at least one temporary Internet Protocol session parameter as corresponds to the wireless node comprises retrieving from the wireless access gateway memory at least one domain name system session parameter.

6. (Previously Presented) The method of claim 1 wherein retrieving from the wireless access gateway memory the at least one temporary Internet Protocol session parameter as corresponds to the wireless node comprises retrieving from the wireless access gateway memory at least one Internet Protocol session compression parameter.

7. (Previously Presented) The method of claim 4 wherein retrieving from the wireless access gateway memory at least one point-to-point protocol session parameter comprises retrieving from the wireless access gateway memory at least one point-to-point protocol session parameter as corresponds to a recent point-to-point protocol session as was conducted with the wireless node.

8. (Previously Presented) The method of claim 4 wherein retrieving from the wireless access gateway memory at least one point-to-point protocol session parameter comprises

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retrieving from the wireless access gateway memory a plurality of point-to-point protocol session parameters.

9. (Previously Presented) The method of claim 4 wherein using the at least one temporary Internet Protocol session parameter to facilitate initiation of an Internet protocol session with the wireless node comprises using the at least one point-to-point protocol session parameter to negotiate a new point-to-point protocol session with the wireless node.

10-11. (Cancelled)

12. (Previously Presented) The method of claim 1 wherein the wireless access gateway is a packet data serving node.

13. (Cancelled)

14. (Previously Presented) The method of claim 1 wherein the wireless access gateway is a home agent.

15. (Previously Presented) The method of claim 1 wherein the wireless access gateway is a gateway general packet radio service support node.



16. (Currently amended) A method to facilitate conducting a first Internet Protocol session and a second Internet Protocol session comprising:

a server conducting the first Internet protocol session with a node using at least one temporary Internet Protocol session parameter;

upon terminating ~~concluding~~ the first Internet protocol session, the server storing information, in a server memory, that corresponds to the at least one temporary Internet Protocol session parameter as was assigned to the node for the first Internet Protocol session and then not returning the at least one temporary Internet Protocol session to a pool of available temporary[[,]] Internet Protocol session parameters for a predetermined period of time, wherein the predetermined period of time begins upon terminating ~~concluding~~ of the first Internet Protocol session;

when the node seeks to initiate a second Internet Protocol session within the predetermined period of time:

the server retrieving from the server memory the at least one temporary Internet Protocol session parameter;

the server using the at least one temporary Internet Protocol session parameter to facilitate the second Internet Protocol session.

17. (Cancelled)

18. (Previously Presented) The method of claim 16 wherein storing information that

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corresponds to the at least one temporary Internet Protocol session parameter comprises storing information that corresponds to point-to-point protocol session parameters as were negotiated by the node for the first Internet Protocol session.

19. (Previously Presented) The method of claim 16 wherein retrieving from the server memory at least one temporary Internet Protocol session parameter comprises retrieving from memory at least one domain name system session parameter.

20. (Previously Presented) The method of claim 16 wherein retrieving from the server memory at least one temporary Internet Protocol session parameter comprises retrieving from memory at least one Internet Protocol session compression parameter.

21. (Previously Presented) The method of claim 16 wherein the predetermined period of time comprises a fixed predetermined period of time.

22. (Previously Presented) The method of claim 21 wherein the fixed predetermined period of time is selected from within a range of candidate periods of time.

23. (Original) The method of claim 16 wherein the predetermined period of time comprises a dynamically determined period of time.

24. (Currently amended) The method of claim 23 and further comprising:

determining the dynamically determined period of time as a function, at least in part, of a time when the first Internet Protocol session terminates ~~concludes~~.

25. (Currently amended) The method of claim 24 wherein determining the dynamically determined period of time as the function, at least in part, of the time when the first Internet Protocol session terminates ~~concludes~~ comprises determining the dynamically determined period of time as a function, at least in part, of a time of day when the first Internet Protocol session terminates ~~concludes~~.

26. (Currently amended) The method of claim 24 wherein determining the dynamically determined period of time as the function, at least in part, of a time when the first Internet Protocol session terminates ~~concludes~~ comprises determining the dynamically determined period of time as a function, at least in part, of a day when the first Internet Protocol session terminates ~~concludes~~.

27. (Previously Presented) The method of claim 23 and further comprising:  
determining the dynamically determined period of time as a function, at least in part, of a prioritization as pertains to the node.

28. (Previously Presented) The method of claim 23 and further comprising:  
determining the dynamically determined period of time as a function, at least in part, of available Internet Protocol session resources.

29. (Previously Presented) The method of claim 28 wherein determining the dynamically determined period of time as the function, at least in part, of available Internet Protocol session resources comprises determining the dynamically determined period of time as a function, at least in part, of available temporary Internet protocol addresses.

30-41. (Cancelled)

*Allowable Subject Matter*

4. Claims 1, 4-9, 12, 14-16, 18-29 are allowed.

*Conclusion*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Art Unit: 2152

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Kenny S Lin/  
Primary Examiner, Art Unit 2152  
October 7, 2008